

REMARKS

Status of claims

Claims 1-2, 4-5 and 7-11 are pending, of which claims 1, 9 and 10 are independent.

Claims 1, 2, 4, 9 and 10 have been amended to correct informalities in the claim language and to more clearly define the present subject matter. Care has been exercised not to introduce new matter.

Claim Rejection - 35 U.S.C. § 103

Claims 1, 4-5 and 9-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sakakibara et al. (US 2003/0178968) and Iwaizono et al. (USP 6,714,882). Claim 2 was rejected under 35 U.S. C. § 103(a) as being unpatentable over Sakakibara and Iwaizono, and further in view of Fasen (USP 4,609,860). Claims 7 and 8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sakakibara and Iwaizono, and further in view of Yoshida et al. (US 2005/0106455). These rejections are traversed for at least the following reasons.

Applicants respectfully submit that, at a minimum, none of the cited references discloses or suggests that *“the control portion is further configured to make the notification portion notify a message indicating that the abnormality has been avoided based on the data indicating that the forced discharge is completed, responsive to turning on the electric power from the power supply to the portable equipment for operation of the portable equipment,”* as recited by amended claims 1 and 9-10. In rejecting claims 1 and 9-10, the Examiner states that “Sakakibara does not explicitly teach ... and to turn-on the power feed from the power supply to a portable equipment, based on the data indicating that the forced discharge is completed,” and that “Iwaizono teaches ... to turn-on the power feed from the power supply (10) to a portable

equipment, based on the data indicating that the forced discharge is completed, the power is turned on when the temperature and voltage are within a predetermined threshold which will occur after a forced discharge.” However, the Examiner erroneously read claims 1 and 9-10.

Original claims 1 and 9-10 recite that “[the control portion is configured] to make the notification portion notify a message indicating that the abnormality is avoided, **responsive to turning-on of the electric power from the power supply to the portable equipment**, based on the data indicating that the forced discharge is completed.” In other words, original claims 1 and 9-10 do not state that the device turns on the power feed based on the data indicating that force discharge is completed. As such, since the Examiner’s assertion is based on the erroneous reading of the claim language, the Examiner’s assertion has no merit.

In fact, Iwaizono fails to disclose that that *“the control portion is further configured to make the notification portion notify a message indicating that the abnormality has been avoided based on the data indicating that the forced discharge is completed, responsive to turning on the electric power from the power supply to the portable equipment for operation of the portable equipment,”* as recited by amended claims 1 and 9-10. The cited portions or any other portions of Iwaizono do not disclose that the device notifies any message when the electric power for operating the portable equipment becomes turned on. As such, it is clear that, at a minimum, Iwaizono fails to disclose the above identified feature of claims 1 and 9-10.

Further, Applicants submit that Iwaizono also fails to disclose *“recognizing an abnormality of the power supply ... when the electric power from the power supply to the portable equipment for operation of the portable equipment is off,”* as recited by claims 1 and 9-10. The Examiner asserts that col. 9, lines 40-46 discloses this limitation. However, the cited portion does not describe whether the device of Iwaizono recognizes abnormality when the

power to the portable equipment for operating is off. It should be noted that a PTC element is a protection element and does not correspond to the claimed portable equipment (see, col. 1, lines 49-53 and col. 2, lines 43-46 of Iwaizono). As such, it is clear that, at a minimum, Iwaizono fails to disclose the above identified feature of claims 1 and 9-10.

Applicants also submit that none of the cited references discloses the portable equipment which is operated by the power supply from the claimed power supply [system]. In Sakakibara, the alleged power supply system 30 is connected a charger 10, which is not portable equipment operated by the power supply system 30. Iwaizono discloses the battery control circuit 20 and does not disclose the claimed portable equipment.

Applicants further submit that the remaining cited references do not cure the deficiencies of Sakakibara and Iwaizono, and it would not have been obvious to add these features to any combination of the cited references.

Accordingly, claims 1 and 9-10 and all claims dependent thereon are patentable over the cited references.

Regarding claims 4 and 5, Applicants submit that Sakakibara fails to disclose that the control portion is further configured to turn on the switch for forcedly discharging the power supply when the abnormality of the power supply is recognized, and to turn off the switch when the voltage of the power supply detected by the voltage detection portion reaches the second voltage. In Sakakibara, it is clear that the alleged control portion 41 turns off the switch 48 when the abnormality of the power supply is recognized. As such, claims 4 and 5 are patentable over the cited references on their own merit in addition to the dependency upon claim 1.

Regarding claim 11, Sakakibara fails to disclose that at least one of the voltage detection portion, the memory portion, and the forced discharge portion is integrated *with the equipment*

circuit for operating the portable equipment. The circuit 30 of Sakakibara is not a equipment circuit for operating the portable equipment. As such, claim 11 is patentable over the cited references on its own merit in addition to the dependency upon claim 1.

Regarding claim 2, Applicants submit that the alleged switch of Fasen cannot be combined with the circuit of Sakakibara. The Examiner asserts that transistor 64 and LED 65 of Fasen correspond to the claimed switch and notification portion, respectively. However, the LED 65 does not notify a message indicating that the abnormality is being avoided. Thus, the LED 65 is not replaceable with the display 44 (i.e., the alleged notification portion) of Sakakibara. Since the display 44 of Sakakibara is not connected in series with the power supply, if, *arguendo*, the switch 64 of Fasen was added to Sakakibara, the switch would not be coupled in series to the power supply together with the notification portion. As such, claim 2 is patentable over the cited references on its own merit in addition to the dependency upon claim 1.

Based on the foregoing, it is requested that the Examiner withdraw the rejections of claims 1, 2, 4-5, 7 and 8 and 9-10 under 35 U.S.C. §103(a).

Conclusion

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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